

EDWARD H. KUBO, JR. #2499
United States Attorney
District of Hawaii

LAWRENCE L. TONG #3040
Assistant U. S. Attorney
Room 6100, PJKK Federal Building
300 Ala Moana Blvd., Box 50183
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-2958
E-mail: Larry.Tong@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00252 DAE
)	
Plaintiff,)	
)	STIPULATION CONTINUING TRIAL
vs.)	DATE AND EXCLUDING TIME;
)	ORDER
DAWE GLOVER,)	
)	Old Date: February 28, 2006
Defendant.)	New Date: March 29, 2006
)	

STIPULATION CONTINUING TRIAL DATE AND EXCLUDING TIME

IT IS HEREBY STIPULATED, by and between the parties,
that the trial of this case shall be continued from February 28,
2006 to March 29, 2006 before United States District Judge David
A. Ezra. A final pretrial conference shall be held on February
27, 2006 at 10:00 a.m. before United States Magistrate Judge
Kevin S. Chang.

IT IS FURTHER STIPULATED that the time from February
28, 2006 up to and including March 29, 2006 shall be deemed
excludable time within the meaning of the Speedy Trial Act, 18
U.S.C. §§ 3161, et seq., on the grounds that the ends of justice

served by granting this continuance outweigh the best interest of the public and the defendant in a speedy trial. The parties note that this continuance is sought at the request of the defendant, who needs additional time to explore potential defenses.

Defendant is presently being examined by mental health professionals to determine whether he had a mental condition which might provide a defense to the charges, or mitigation for sentencing purposes. Defense counsel does not believe that he can adequately advise his client on whether to negotiate a plea disposition or seek trial until such an evaluation has been completed. The parties thus jointly ask the Court to find the time excludable on the grounds that a failure to grant the continuance would unreasonably deny defendant continuity of counsel and would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(B)(iv).

The parties thus ask that this Court's approval of this stipulation be deemed a finding of excludable time for the reasons stated.

DATED: February 8, 2006, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Lawrence L. Tong
LAWRENCE L. TONG
Assistant U. S. Attorney

/s/ Samuel P. King, Jr.
SAMUEL P. KING, JR.
Attorney for Defendant
DAWE GLOVER

APPROVED AND SO ORDERED:

DATED: Honolulu, Hawaii, February 10, 2006.





David Alan Ezra
United States District Judge

United States v. Dawe Glover

Cr. No. 05-00252 DAE

Stipulation Continuing Trial Date and Excluding Time; Order